

**From:** Pete Detskey (ELN)  
**To:** Microsoft ATR  
**Date:** 1/4/02 1:47pm  
**Subject:** Microsoft Settlement

I am writing to oppose the anti-trust settlement that has been proposed with Microsoft. I write as both a small business owner and as a consumer of Microsoft software products.

Capitalism works only when competition exists. Justice must be served in regards to the anti-competitive behavior of Microsoft. The proposed settlement does not guarantee competition for new companies; it does not promote benefits to consumers.

One flaw with the proposed settlement is that it leaves open too many loopholes on what code is not required to be made open to other business seeking to develop new products. It also seems to have a sunset provision on when the oversight committee will disband in several years. We need a permanent solution to the Microsoft monopoly problem.

The nine states that did not sign on to the agreement have a better plan on promoting competition. For example, they require that Microsoft Office products be ported to rival operating systems.

For consumers, consider the recent warning that the FBI issued regarding the security holes in the Win XP operating system. I think it is awful that the FBI has to issue consumer warnings--at taxpayer expense--because of Microsoft negligence. In a competitive environment, no company would release a software product with serious flaws; that action would risk going out of business. But in a monopoly, Microsoft has no fears and will bully everyone around as it sees fit.

Justice must be served on the anti-competitive behavior of Microsoft. The current settlement offer does not safeguard competition in the marketplace. It provides no benefits to consumers with flawed software products.

Justice is NOT served in the proposed settlement. I urge that an alternative settlement be proposed.

Sincerely,  
Peter Z. Detskey  
Tucson, Arizona  
(520) 297-7289